



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

US EPA RECORDS CENTER REGION 5



446686

REPLY TO THE ATTENTION OF:

December 20, 2002

Vorys, Sater, Seymour and Pease
Attn: Joseph Blasko
52 East Gay Street
Columbus, OH 43216-1008
(re: Borden Chemical)

Dear Sir or Madam:

As you know, the company you represent, **Borden Chemical**, has been identified by U.S. EPA as a potentially responsible party (PRP) at the Chemical Recovery Systems Site (CRS Site) in Elyria, Ohio. This letter is being sent to offer you an opportunity to enter into a *de minimis* settlement with the United States to resolve your alleged liability under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) for all past response costs incurred by the United States at the CRS Site and for anticipated future response costs which the United States expects it may incur at that Site. A copy of the Administrative Order on Consent (Consent Order) which will express the agreements of the settling parties is enclosed with this letter. The enclosed Consent Order contains provisions for contribution protection and a covenant not to sue. The enclosed Consent Order, when fully executed, with the signature pages of all settling PRPs and the signature of the Superfund Division Director, will be forwarded to U.S. Department of Justice for approval, and notice of the terms of the settlement will be published in the Federal Register. After this notice, and consideration of comments received, the terms of the Order will become final. U.S. EPA is prepared to settle its claims against you for **\$7,900.00**.

VOLUMETRIC RANKING

Previously, U.S. EPA has sent you a copy of a revised volumetric ranking compiled by U.S. EPA for this Site. U.S. EPA has already given all PRPs several opportunities to question the process by which the volumetric ranking was reached or the specific quantity attributed to individual PRPs by that ranking. If **Borden Chemical** has any additional information to provide or believes that the volume attributed to **Borden Chemical** is in error, you may request a waste quantity review by U.S. EPA. **The deadline to apply for a waste quantity review is January 24, 2003.** U.S. EPA will not consider any requests for a waste quantity review submitted after that date.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Vorys, Sater, Seymour and Pease
Attn: Joseph Blasko
52 East Gay Street
Columbus, OH 43216-1008
(re: Borden Chemical)

2. Article Number

(Transfer from service label)

7001 0320 0006 0176 5741

PS Form 3811, March 2001

Domestic Return Receipt

102595-01-M-1424

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

BLAIR L. BURKE

B. Date of Delivery

C. Signature

x Blair L. Burke

☐ Agent☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

DEC 26 2002

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes**U.S. Postal Service
CERTIFIED MAIL RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Postage

\$ 1.06

Certified Fee

2.30

Return Receipt Fee
(Endorsement Required)

1.75

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$ 5.11

Sent To

Street, Apt. No.
or PO Box No.

City, State, Zip

Vorys, Sater, Seymour and Pease
Attn: Joseph Blasko
52 East Gay Street
Columbus, OH 43216-1008
(re: Borden Chemical)



PS Form 3800